

### REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3, 7, 10, 13-15, and 18 are pending in the present application. Claims 1, 2, 10, 13, 14, 15, and 18 are amended by the present amendment.

In the Advisory Action, which maintains the rejections of the Office Action of May 16, 2007, Claims 1-3, 10, 13-15, and 18 were rejected under 35 U.S.C. § 102(b) as anticipated by Information Technology – JPEG 2000 Image Coding System (ISO/IEC JTC 1/SC 29/WG 1 N1646R (herein “ISO/IEC”); and Claim 7 was rejected under 35 U.S.C. § 103(a) over ISO/IEC in view of Christopoulos (IEEE volume 46, pages 1103-1127, 2000, “The JPEG2000 Still Image Coding System: An Overview”).

In view of the outstanding rejections on the merits of the claims, independent Claims 1, 10, 13, and 18 are amended to more clearly recite that inspection symbols of a header or a packet or packets of a predetermined number of layers are embedded in a predetermined packet or packets of at least a layer different from the predetermined number of layers in which the header or packet or packets belong to. The claim amendments find support in Figure 9 and its corresponding description in the specification. No new matter has been added.

More specifically, Figure 9 shows and the specification discloses in the paragraph bridging pages 24 and 25 that error correction is applied to data of a header and data of packets in layer 0 and layer 1, i.e., a predetermined number of layers. An inspection symbol D19 is generated and embedded in layer N, a different layer from the predetermined layers. Thus, it is respectfully submitted that no new matter has been added as “the layer” different from “the predetermined number of layers” is, for example, layer N.

Briefly recapitulating, amended Claim 1 is directed to a picture encoding apparatus including an arithmetic encoding unit for applying arithmetic encoding to an input picture to generate an encoded codestream, a splitting unit for splitting said encoded codestream into a plurality of layers, a packet generating unit for generating a plurality of packets from one layer to another, an error correction encoding unit for applying error correction encoding to data of a header or a packet or packets of a predetermined number of layers, and an embedding unit for embedding respective inspection symbols, of the header or the packet or packets of the predetermined number of layers, generated by the error correction encoding unit in a predetermined packet or packets of at least a layer different from the predetermined number of layers. Independent Claims 10, 13, and 18 have been amended similar to Claim 1.

In a non-limiting example, Figure 9 shows the header and layers 0 to N each having a respective inspection symbol and the inspection symbols are removed from the header and some of the layers (layer 0 and 1) and placed in at least layer N (the different layer).

Turning to the applied art, the outstanding Office Action asserts that ISO/IEC discloses at page 13, in section A.1.2. markers and marker segments corresponding to the claimed inspection symbols, and Figure A-2 on page 18 shows that a lower layer is an inherent layer for which a symbol or marker will be embedded.

ISO/IEC discloses an image compression system that has a good flexibility to compressing images and accessing the compressed data. ISO/IEC shows in Figure 6-1 the “main procedure” for the image compression system, i.e., a codestream syntax that is applied together with a transform and a quantization on image data.<sup>1</sup> Describing the codestream syntax in Annex A, ISO/IEC describes markers and marker segments are used to frame headers and data and that the location of the market segments is specified (see section A.1.2).

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<sup>1</sup> ISO/IEC, section 6.3, first two lines.

In this respect, ISO/IEC shows in Figure A-2 the construction of the codestreams with marker segments in the main header and also in tile-part headers. However, ISO/IEC does not teach or suggest that markers or marker segments from the header or the tile-part headers are removed from the corresponding header or tile-part headers and placed in a different tile-part header as required by amended Claims 1, 10, 13, and 18.

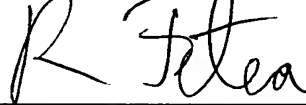
Accordingly, it is respectfully submitted that amended Claims 1, 10, 13, and 18 and each of the claims depending therefrom patentably distinguish over ISO/IEC.

Christopoulos has been considered but does not cure the deficiencies of ISO/IEC discussed above with regard to independent Claim 1. Thus, it is respectfully submitted that amended Claims 1, 10, 13, and 18 and each of the claims depending therefrom patentably distinguish over ISO/IEC and Christopoulos, either alone or in combination.

Consequently, in light of the above discussion and in view of the present amendment, Applicants respectfully submit that this application is in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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